

PATENT
Atty Docket No. HI03057USU (P02007US)RECEIVED
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II. REMARKS

Applicants first wish to express their appreciation for the time the Examiner spent during the August 14, 2006 conference call with Applicants' attorney to discuss various issues regarding the outstanding Office Action and the status of the claims. The discussion was helpful to Applicants' attorney.

A. STATUS SUMMARY

Claims 1-30 are pending in the present application, of which claims 8-14, 21-24, and 26-30 were withdrawn from consideration by the Examiner, claims 1-7 and 25 are allowed, claim 15 is rejected, and claims 16-20 have been objected to.

B. CLAIM REJECTIONS

The Examiner rejected claim 15 under 35 U.S.C. §102(b) as being anticipated by the admitted prior art ("APA"). Claim 15 has been cancelled without prejudice in order to expedite allowance of the present application.

C. ALLOWABLE SUBJECT MATTER

Applicants appreciate the Examiner's indication that claims 1-7 and 25 are allowed, and that claims 16-20 would be allowable if rewritten in independent form including all of the limitations of the base claim on any intervening claims. Because Claims 16-20 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims, it is respectfully submitted that these claims are now in condition for allowance. Moreover, should the Examiner agree that claim 16 constitutes a generic claim (as set forth above) and thus rejoins the previously withdrawn claims, claims 8-14 (which depend directly or indirectly from allowed claim 1) and claims 21-24 (which depend directly or

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indirectly from allowable claim 16), are allowable for at least the same reasons as their respective base claim.

D. WITHDRAWN CLAIMS

According to the MPEP, "In general, a generic claim should require no material element additional to those required by the species claims, and each of the species claims must require all the limitations of the generic claim." MPEP §806.04(d).

It is respectfully submitted that claim 16 as amended is drawn to the species identified by the Examiner as Group II (Figs. 3-4), Group III (Figs. 5-6) and Group IV (Figs. 6-7). In particular, each of Groups II-IV includes every element of claim 16, namely; a housing, a baffle board, and a means for creating an airtight seal between the baffle board and the housing, wherein the creating means includes a passage in the baffle board coupled to a gland to form a break in the gland. Thus, claim 16 is generic as to each of the pending claims drawn to Groups II, III and IV, namely claims 1-14 and 17-30.

Because claim 16 (which has been rewritten in independent form including all of the limitations of the base claim and any intervening claims) is both allowable (as indicated by the Examiner), and generic as to Groups II, III and IV, Applicants respectfully request that claims 8-14, 21-24 and 26-30 previously withdrawn from consideration by the Examiner be rejoined in the present application.

E. CLAIMS 26-30

According to the September 22, 2004 Final Office Action, claims 10-12 were found to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 26 was added to include all of the limitations of claim

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10, base claim 1 (as of the September 22, 2004 Final Office Action), and intervening claim 8. Thus, it is respectfully submitted that claim 26 is allowable, as are claims 27 and 28 which depend from claim 26.

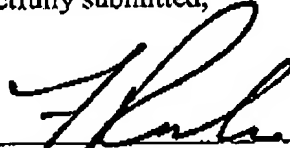
Also in response to the September 22, 2004 Final Office Action, claim 29 was added to include all of the limitations of claim 12, base claim 1 (as of the September 22, 2004 Final Office Action), and intervening claim 8. Thus, it is respectfully submitted that claim 29 is allowable, as is claim 30 which depends from claim 29.

III. CONCLUSION

Favorable consideration is respectfully requested in view of the following amendments and remarks. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542. A copy of this sheet is enclosed.

Respectfully submitted,

Date: 9/12/06


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10, base claim 1 (as of the September 22, 2004 Final Office Action), and intervening claim 8. Thus, it is respectfully submitted that claim 26 is allowable, as are claims 27 and 28 which depend from claim 26.

Also in response to the September 22, 2004 Final Office Action, claim 29 was added to include all of the limitations of claim 12, base claim 1 (as of the September 22, 2004 Final Office Action), and intervening claim 8. Thus, it is respectfully submitted that claim 29 is allowable, as is claim 30 which depends from claim 29.

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